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217/782-0762

L1630200005 -- St. Clair County  
Sauget Sites - Area II

August 7, 1989

Earle H. Harbison, Jr., President  
Monsanto Company  
800 North Lindbergh Blvd.  
St. Louis, Missouri 63167

Dear Sir or Madam:

The Illinois Environmental Protection Agency (IEPA) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above-referenced Area. A diagram indicating the property included in Area II is provided as Attachment 1 to this letter. IEPA is planning to spend public funds to investigate and control these releases and has completed NRS documentation for Area II sites. Recommendation will be made to USEPA Headquarters for nomination to the National Priorities List (NPL). The Area II score is above that required for NPL listing and such listing is, therefore, anticipated. Upon listing, action will be taken by USEPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. §9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 (SARA), unless both USEPA and IEPA determine that appropriate action will be properly executed by a responsible party. Responsible parties under CERCLA include the current and former owners and operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of hazardous substances at the subject Area.

Based on data generated during the State's investigation of Area II, IEPA has information indicating that you are a potential responsible party (PRP). Before the State of Illinois undertakes necessary action at Area II, IEPA will give you the opportunity to work with other PRPs to voluntarily perform your share of the work required to abate any release or threatened release of hazardous substances, pollutants, and contaminants from this Area. You should be aware that under Section 107(a) of CERCLA, 42 U.S.C. §9607, and Section 22.2(f) of the Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, par. 1022.2(f), where the State uses public funds to conduct removal or remedial action, you may be liable for all costs associated with such action including investigation, planning, enforcement and cleanup costs.

IEPA is planning to conduct the following studies at Area II:

1. A Remedial Investigation (RI) to identify the local hydrogeological characteristics, and define the nature and extent of soil, air, groundwater, and surface water contamination; and



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2. A Feasibility Study (FS) to evaluate possible remedial alternatives to remove or contain hazardous substances, pollutants, and contaminants.

In addition to the above studies, corrective measures will be necessary to protect public health, welfare or the environment. These corrective measures will include, but are not necessarily limited to:

1. Implementation of initial remedial measures, e.g., securing unfenced property to prevent contact with any potentially hazardous or toxic materials at Area II and/or removal of contaminated material from the surface;
2. Designing and implementing the IEPA-approved remedy for Area II; and
3. Providing any necessary ongoing monitoring and maintenance.

The State would like to encourage "good faith" negotiations among you, other PRPs, the IEPA and the Illinois Attorney General's Office, leading to the entry of consent decrees for conduct of the RI/FS studies and the corrective measures mentioned above. To facilitate such negotiations, Attachment 2 of this letter is a list of names and addresses of other PRPs who are also receiving this letter. As PRPs, it would be advisable to organize yourselves into a single representative body to begin negotiation with IEPA and the Attorney General's Office for a privately funded RI/FS. The obvious benefit is that PRPs are able to exercise a greater degree of control over remedial design and implementation.

If you wish to be a part of these negotiations, you should notify the undersigned in writing within fourteen (14) calendar days within receipt of this letter. If you do not provide such written notification to the undersigned indicating your willingness to participate with other PRPs, IEPA will assume that you decline participation. Within forty-five (45) days, the State will contact those PRPs who have indicated a willingness to participate to schedule negotiations.

In addition, IEPA is seeking to obtain certain other information from you pursuant to authority granted under Section 104 of CERCLA, 42 U.S.C. §9604, Section 3007 of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6927, and Section 4 of the Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, par. 1004. This information is needed to enforce CERCLA, RCRA and the Environmental Protection Act and to assist in determining the need for response to a release of hazardous substance(s) under CERCLA and the Environmental Protection Act. Pursuant to these statutory provisions, you are hereby requested to submit the information describe below.

1. Copies of all shipping documents or other business documents relating to the transportation, storage and/or disposal of waste materials or substances at the above-referenced Area.



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2. A detailed description of the generic, common and/or trade names and the chemical composition and character (i.e. liquid, solid, sludge) of the material offered by you for transportation to, storage and/or disposal at the above referenced Area.
3. For each waste material or substance identified above please give the total volume (gallons for liquids and sludges and cubic yards for solids) which you transported to, stored or disposed of at the above-referenced Area, and list when transportation, storage or disposal occurred. Also, describe as accurately as possible the precise location where said activities took place.
4. A description of arrangements that were made for transportation of your waste materials or substances to the above-referenced Area, including method(s) of transportation used (i.e. tankers, dump trucks, drums).
5. The names of the transporter(s) of your waste materials or substances, including the former and current address of the transporter(s).
6. Copies of all records, including analytical results and material safety data sheets, which indicate the chemical composition and/or chemical character of the waste material(s) transported to, stored or disposed of at the above-referenced Area.
7. A list and description of any and all liability insurance that is and was carried by you, including but not limited to any self-insurance provisions, which relate to waste materials or substances and the above-referenced Area. Include copies of all such insurance policies.
8. Evidence of transactions and/or agreements made between yourself and owners of property within the above-referenced Area during the period of disposal.

The information sought pertains to any and all information in your possession, custody, or control relating to the operation of the above-referenced Area and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the Area. The relevant time period for this request is from 1930 through the present.

For purposes of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, manifests, shipping orders, packing slips, bills of lading, invoices, bills and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of materials to, through, or from, the above-referenced Area. "Waste materials" shall mean any material which is reclaimed or intended to be discarded, including, but



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not limited to, hazardous substances, solid wastes and hazardous wastes, and other material which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification materials of any kind.

The information sought herein must be sent to IEPA within thirty (30) calendar days of your receipt of this letter. Any person who generates, stores, treats, transports, disposes, arranges for the disposal of, or otherwise handles hazardous wastes and hazardous substances, as those terms are defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5), and Section 101(14) of CERCLA, 42 U.S.C. §9607(14), and fails to furnish IEPA with requested information related to such activities is subject to sanctions. Under Section 3005 of RCRA, 42 U.S.C. §6982, failure to comply with this request may result in an order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 CERCLA, 42 U.S.C. §9604, may result in a civil enforcement action being brought against you.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be afforded confidential protection. A request for confidential protection must be made when the information is provided since any information not so identified will not be accorded this protection by the IEPA. Information claimed as confidential will be handled in accordance with the provisions of 35 Ill. Adm. Code, Part 161.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to IEPA pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify IEPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted.

Your reply to the request for information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at Area I. Your reply to IEPA's request for information should be sent to:

William C. Child, Manager  
Illinois Environmental Protection Agency  
Division of Land Pollution Control  
2200 Churchill Road  
Post Office Box 19276  
Springfield, Illinois 62794-9276




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If you need further information or wish to indicate to IEPA your willingness to participate in response activities, please contact Paul Takacs, IEPA Remedial Project Manager at the above number, or Joseph Madonia, Assistant Attorney General, at (217) 782-9030.

Thank you for giving this matter your immediate attention.

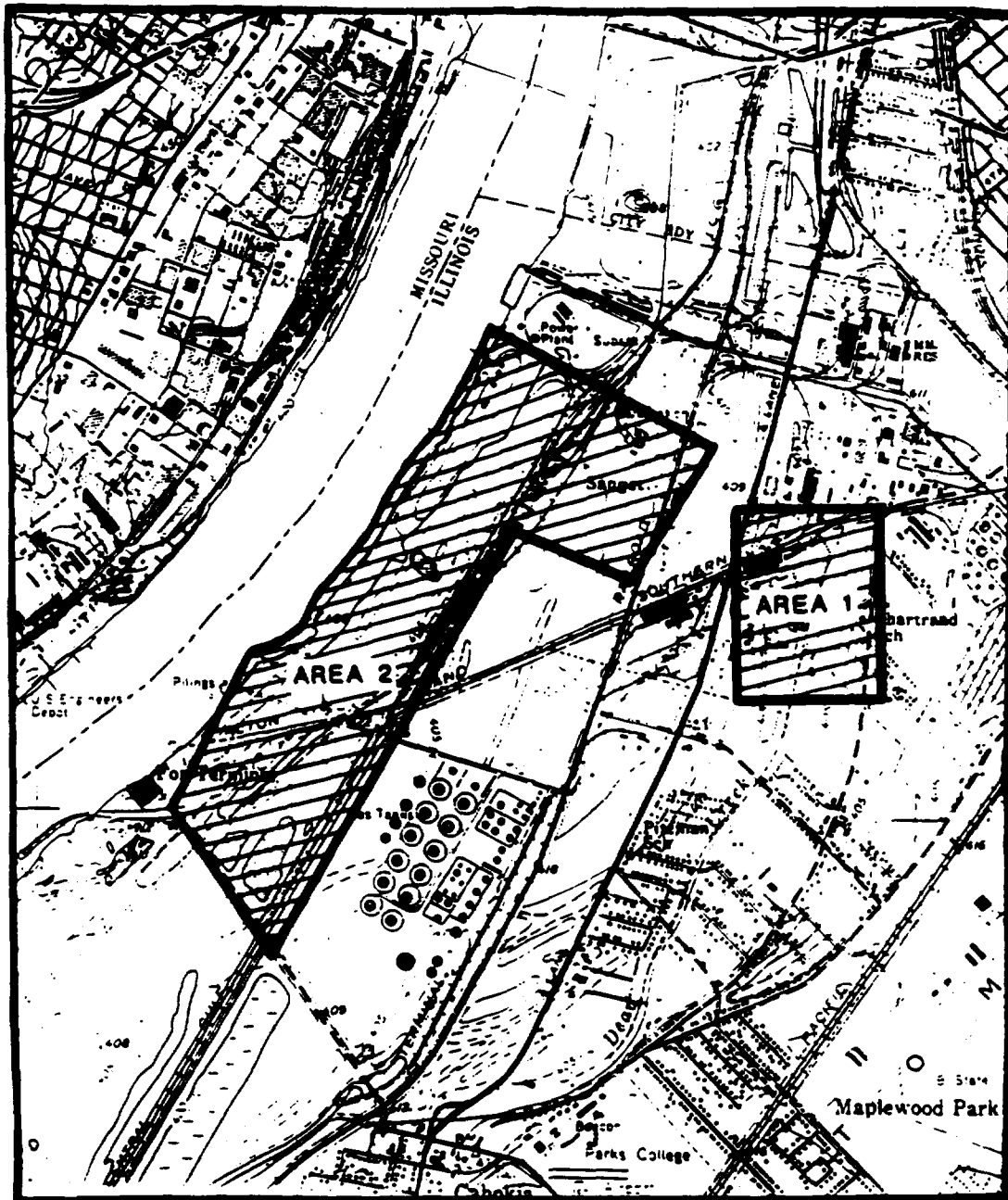
Respectfully,

  
William C. Child, Manager  
Division of Land Pollution Control

WCC:PT:jab/2417,2590K/1-5

cc: Bharat Mathur - IEPA  
Jim Frank - IEPA  
Terry Ayers - IEPA  
Paul Takacs - IEPA  
Bruce Carlson - IEPA  
Joe Madonia - IAGO  
Nancy Mackiewicz - IAGO

Attachment 1  
Reference Area Map



SOURCE: USGS Canonic Quad, 1974.

SCALE  
0 0.5 1 MILE

—      ATTACHMENT 2  
PRP List - Area II

Amax Zinc Company, Inc.  
Amax Center  
Greenwich, Connecticut 06836

Cerro Copper Products Co.  
Queeny Avenue  
Sauget, IL 62706

Clayton Chemical Company  
#1 Mobile Ave.  
Sauget, IL 62201

④ Eagle Marine Industries, Inc.  
2701 North Geyer Rd.  
St. Louis, MO 63131

Midwest Rubber Reclaiming Co.  
3101 Mississippi Avenue  
Sauget, IL 62206

④ Monsanto Company  
800 North Lindbergh Blvd.  
St. Louis, MO 63167

④ Riverport Terminal and Fleeting Company  
Suite 1725  
200 North Broadway  
St. Louis, MO 63102-2716

Sterling Steel Foundry, Inc.  
7441 Navarre Circle  
St. Louis, MO 63123

④ Village of Sauget  
2350 Monsanto Avenue  
Sauget, IL 62206

④ Paul Sauget  
2700 Falling Springs Rd.  
Sauget, IL 62201